

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

STEFANIE GERBERDING,

Plaintiff,

v.

MEDICAL COLLEGE OF WISCONSIN,

Defendant.

Case No. 16-CV-1579-JPS

ORDER

On November 28, 2016, Plaintiff brought a two-count complaint against Defendant. (Docket #1). Count I alleges sex discrimination and retaliation in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e *et seq.* *Id.* at 4–5. Count II brings the same claims under Title IX of the Education Amendments of 1972 (“Title IX”), 20 U.S.C. § 1681, *et seq.* *Id.* at 5–7. On January 30, 2017, Defendant filed a motion to dismiss Count II on the ground that the Title IX claim is precluded by the comprehensive statutory scheme for such claims established in Title VII. (Docket #6). On February 10, 2017, the parties filed a joint stipulation for the dismissal of Count II with prejudice and without costs or attorney’s fees assessed to either party. (Docket #12). The Court will adopt the stipulation, which also renders Defendant’s motion to dismiss moot.

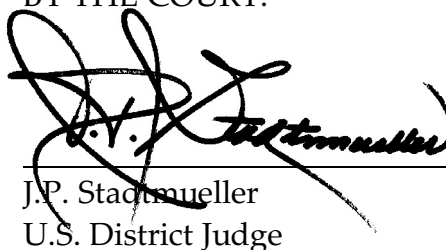
Accordingly,

IT IS ORDERED that the parties’ stipulation of dismissal as to Count II of Plaintiff’s complaint (Docket #12) be and the same is hereby **ADOPTED**; Count II of Plaintiff’s complaint be and the same is hereby **DISMISSED with prejudice** and without costs or attorney’s fees to any party; and

IT IS FURTHER ORDERED that Defendant’s motion to dismiss Count II of Plaintiff’s complaint (Docket #6) be and the same is hereby **DENIED as moot**.

Dated at Milwaukee, Wisconsin, this 21st day of February, 2017.

BY THE COURT:



A handwritten signature in black ink, appearing to read "J.P. Stadtmueller", is written over a horizontal line. The signature is stylized with large loops and a long horizontal stroke extending to the right.

J.P. Stadtmueller
U.S. District Judge